

PURSUANT TO CHAPTER 92, HAWAII REVISED STATUTES AS AMENDED, NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE MAUI PLANNING COMMISSION

## AGENDA

DATE: SEPTEMBER 13, 2011 (Tuesday)  
TIME: 9:00 A.M.  
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Kent Hiranaga (Chair), Warren Shibuya (Vice-Chair), John "Keone" Ball, Donna Domingo, Jack Freitas, Ivan Lay, Ward Mardfin, Lori Sablas, Penny Wakida

Public testimony will be taken at the start of the meeting on any agenda item, except for contested cases under Chapter 91, HRS, in order to accommodate those individuals who cannot be present at the meeting when the agenda item(s) is (are) considered by the Maui Planning Commission. Public testimony will also be taken when the agenda item is taken up by the Maui Planning Commission. Maximum time limits on individual testimony may be established by the Planning Commission. A person testifying at this time will not be allowed to testify again when the agenda item comes up before the Commission, unless new or additional information will be offered.

Testifiers: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, and Conditional Permit require the approval of the Maui County Council. In order to be notified of future agendas of the Maui County Council please notify the Office of Council Services at (808) 270-7838 or by mail to the Maui County Council, 200 S. High Street, Wailuku, Maui, Hawaii 96793.

A. CALL TO ORDER

B. PUBLIC HEARINGS (Action to be taken after each public hearing.)

1. COSTCO WHOLESALE CORPORATION requesting a Special Management Area Use Permit for the Costco Warehouse Expansion Project consisting of an approximately 29,067 sq. ft. addition to the warehouse store and a 3,200 sq. ft. car wash on TMK: 3-8-079: 022; and a 4,939 sq. ft. ten-lane five-island self service gasoline fueling facility, addition of 128 parking stalls, and related improvements at 540 Haleakala Highway, TMK: 3-8-079: 022 and 013(por.), Kahului, Island of Maui. (SM1 2010/0009) (D. Dias)
  - a. Public Hearing
  - b. Action
2. MR. RORY FRAMPTON, Land Use Planner on behalf of ULUMALU ENERGY, LLC requesting a Special Management Area (SMA) Use Permit for the proposed Ulumalu Energy, LLC 250 kW Feed in Tariff ("FIT") ground mounted photovoltaic solar energy production system and associated improvements in the State Agricultural District at 100 Lower Ulumalu Road at TMK: 2-8-003: 006, Haiku, Island of Maui. (SM1 2011/0006) (K. Wollenhaupt)

- a. Public Hearing
- b. Action

- 3. MR. MIKE BEASON, consultant for VERIZON WIRELESS requesting a County Special Use Permit for the installation and operation of a thirty-five ft. (35') cell tower monopole and antennas to be disguised as a palm tree located at Kihei Gardens and Landscaping, Waiale Road, TMK: 3-5-002: 017, Wailuku, Island of Maui. (CUP 2010/0007) (C. Thackerson)

- a. Public Hearing
- b. Action

C. COMMUNICATIONS

- 1. MR. LEE A. OHIGASHI, attorney for DAIRY ROAD PARTNERS submitting a Petition to Intervene dated August 29, 2011 on the application by COSTCO WHOLESALE CORPORATION for a Special Management Area Use Permit for the Costco Warehouse Expansion Project consisting of an approximately 29,067 sq. ft. addition to the warehouse store and a 3,200 sq. ft. car wash on TMK: 3-8-079: 022; and a 4,939 sq. ft. ten-lane five-island self service gasoline fueling facility, addition of 128 parking stalls, and related improvements at 540 Haleakala Highway, TMK: 3-8-079: 022 and 013(por.), Kahului, Island of Maui. (SM1 2010/0009) (D. Dias)

Action will be taken on the intervention request prior to taking any action on the Special Management Area Use Permit request.

If intervention is granted, the Commission may take action to select a hearings officer/panel and mediator.

D. ACCEPTANCE OF THE ACTION MINUTES OF THE AUGUST 23, 2011 MEETING AND REGULAR MINUTES OF THE MAY 24, 2011 AND THE AUGUST 9, 2011 MEETINGS

E. DIRECTOR'S REPORT

- 1. Planning Director notifying the Maui Planning Commission pursuant to Section 12-202-17(e) of the Maui Planning Commission's SMA Rules of his intent to process the time extension request administratively on the following:

- a. MR. MIKE DEZAHD requesting a 2-year time extension on the Special Management Area Use Permit condition to initiate construction of the Kihei Hanalei Condo., a 4-unit condo. for property at TMK: 3-9-005: 019, Kihei, Island of Maui. (SM1 2004/0037) (A. Benesovska)

The Commission shall acknowledge receipt of the request. The Commission may decide whether to waive its review or review the time extension request at a future meeting.

- b. BN01 INVESTMENT, LLC and PACIFIC RIM LAND, INC. requesting a 2-year time extension on the Special Management Area Use Permit condition to initiate construction of a four (4) unit single family condominium and related improvements at 201 Makena Road, TMK: 2-1-007: 066, Makena, Island of Maui. (SM1 2001/0017) (C. Thackerson)

The Commission shall acknowledge receipt of the request. The Commission may decide whether to waive its review or review the time extension request at a future meeting.

2. Approval of 2012 Meeting Schedule

The Commission may act to approve or modify the proposed meeting schedule.

3. Planning Commission Projects/Issues

- a. Revising the SMA Boundaries

4. EA/EIS Report

5. SMA Minor Permit Report

6. SMA Exemptions Report

7. Discussion of Future Maui Planning Commission Agendas

- a. September 27, 2011 meeting agenda items

F. NEXT REGULAR MEETING DATE: SEPTEMBER 27, 2011

G. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

UNLESS OTHERWISE SPECIFIED BY ANOTHER SPECIFIC PLANNING COMMISSION RULE, ANY PETITION TO INTERVENE AS A FORMAL PARTY IN THE PROCEEDINGS BEFORE THE MAUI PLANNING COMMISSION MUST BE FILED WITH THE COMMISSION AND SERVED UPON THE APPLICANT NO LESS THAN TEN (10) DAYS BEFORE THE FIRST PUBLIC HEARING DATE. (Note: The calculation of time for deadlines ten days or less excludes weekends and State recognized holidays.) THE ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793. The deadline to file a timely intervention request was on August 29, 2011.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE MAUI PLANNING COMMISSION RULES OF PRACTICE AND PROCEDURE. WRITTEN TESTIMONY SHOULD BE RECEIVED AT LEAST TWO BUSINESS DAYS BEFORE THE MEETING TO INSURE DISTRIBUTION TO THE BOARD. FIFTEEN

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(15) COPIES OF WRITTEN TESTIMONY ARE NEEDED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

DOCUMENTS ARE ON FILE WITH THE PLANNING DEPARTMENT.

THE ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE MAUI PLANNING DEPARTMENT AT 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1- 800-272-0125 (Lanai) OR NOTIFY THE MAUI PLANNING DEPARTMENT IN WRITING AT 250 S HIGH STREET, WAILUKU, MAUI, HAWAII 96793 OR FAX NUMBER 270-7634; AT LEAST SIX (6) BUSINESS DAYS BEFORE THE SCHEDULED MEETING.

ANY FAXES SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY 5:00 P.M. ON THE SECOND WORKING DAY BEFORE THE MEETING TO INSURE THAT IT IS CIRCULATED TO THE BOARD.

**PLEASE NOTE:**        **If any member of the Commission is unable to attend the scheduled meeting, please contact the Planning Department at least one day prior to the meeting date. Thank you for your cooperation.** (S:\all\carolyn\091311.age)